

POTTER HANDY, LLP
Mark Potter, Esq., SBN 166317
Barry M. Walker, SBN 195947
Jim Treglio, Esq., SBN 228077
Tehniat Zaman, SBN 321557
Mail: 100 Pine St., Ste. 1250
San Francisco, CA 94111
(858) 375-7385; (888) 422-5191 fax
serve@potterhandy.com

Attorneys for Moving Parties,
TRISHA WILKUS, et al.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: 23ANDME, INC. CUSTOMER
DATA SECURITY BREACH LITIGATION

This Document Related to: ALL ACTIONS

CASE NO.: 3:24-md-03098-EMC

Assigned to the
Honorable Edward M. Chen

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION TO INTERVENE
AND OBJECTION TO FINAL
APPROVAL OF SETTLEMENT AND
PRELIMINARY INJUNCTION**

Movants Trisha Wilkus, et al hereby request, pursuant to Rule 201 of the Federal Rules of Evidence, that the Court take judicial notice of the following items in connection with Movants Motion to Intervene and Objection to Final Approval of Settlement and Preliminary Injunction:.

1. Exhibit A: Complaint, *Wilkus v. 23andMe, Inc.*, Case No. 24CV429673, Superior Court of California- Santa Clara County
2. Exhibit B: Complaint, *John Diaz v. 23andMe, Inc.*, Case No. 24CV448217, Superior Court of California- Santa Clara County
3. Exhibit C: Complaint, *Cantu v. 23andMe, Inc.*, Case No. 24CV448825, Superior Court of California- Santa Clara County

1 4. Exhibit D: Complaint, *Powell v. 23andMe, Inc.*, Case No. 24CV448695, Superior
2 Court of California- Santa Clara County

3 5. Exhibit E: Complaint, *Shaw v. 23andMe, Inc.*, Case No. 24CV449936, Superior
4 Court of California- Santa Clara County

5 Facts subject to judicial notice include those that “can be accurately and readily determined
6 from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2). The Court
7 “must take judicial notice if a party requests it and the court is supplied with the necessary
8 information.” Fed. R. Evid. 201(c)(2). Courts regularly take judicial notice of “undisputed matters
9 of public record, including documents on file in federal or state courts.” *Harris v. Cty. Of Orange*,
10 682 F.3d 1126, 1131-32 (9th Cir. 2012) (internal citations omitted); *Lee v. City of Los Angeles*, 250
11 F.3d 668, 688-89 (9th Cir. 2001); *Sosinsky v. Grant* 6 Cal. App. 4th 1548, 1561-1562 (1992).
12 Exhibits 1 through 5 are complaints filed in the Superior Court of California- Santa Clara County.

13 The above items meet the requirements of Rule 201(b)(2) of the Federal Rules of Evidence,
14 and therefore, the Court must take judicial notice of them pursuant to Rule 201(c)(2) of the Federal
15 Rules of Evidence.

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17 Dated: November 12, 2024 POTTER HANDY, LLP

18 By: /s/ Barry M. Walker
19 Attorneys for Movants
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